

KERN AUGUSTINE
CONROY & SCHOPPMANN, P.C.
 1120 Route 22 East
 Bridgewater, New Jersey 08807
 (908) 704-8585
 Attorneys for Defendant
 RC-8060

DR. FADI CHAABAN; DR. SABINO R. TORRE;)	UNITED STATES DISTRICT COURT
DR. CONSTANTINOS A. COSTEAS and)	DISTRICT OF NEW JERSEY
DR. ANTHONY J. CASELLA, as Trustees of)	
Diagnostic & Clinical Cardiology, P.A.)	Civil Action
Profit Sharing Plan,)	Case No. 2:08-cv-1567 (GEB - MCA)
)	
Plaintiffs,)	
)	
v.)	
)	DECLARATION OF KENNETH
DR. MARIO A. CRISCITO,)	MARBLESTONE, ESQ.
)	
Defendant.)	

I, KENNETH MARBLESTONE, ESQ., of full age, do hereby declare:

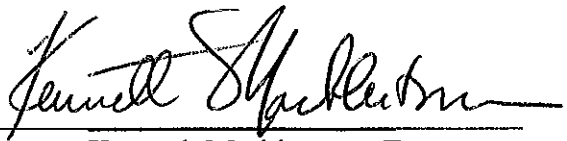
1) I am an Attorney-at-Law of the State of New York and the Commonwealth of Pennsylvania, a Member of the MandMarblestone Group llc and a Principal of MandMarblestone, P.C. I have been retained as an expert witness for the defendant in the above-captioned action, Mario A. Criscito, M.D. ("Dr. Criscito"). I make this declaration in support of the defendant's supplemental submission regarding computation of damages.

2) I have reviewed publicly available resources to determine the annual cumulative rate of investment return under the Standard & Poor's 500 Composite Index ("S&P 500") for the year 2010. The S&P 500 Index is regarded as reliable and is generally used in the financial field as an appropriate measure of the average returns on investments when actual data for a particular

investment is not available.

3) The S&P 500 annual cumulative rate of return for calendar year 2010 was 14.32%.

4) I declare under penalty of perjury that the foregoing statements made by me are true and correct.


Kenneth Marblestone, Esq.

Dated: February 28, 2011